IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE * ZONING COMMISSIONER NE/S Tammy Court, 200 ft. N of c/l Tammy Road * OF BALTIMORE COUNTY 4305 Tammy Court 11th Election District * Case No. 92-490-A 5th Councilmanic District Jeffrey J. Deegan, et ux Petitioners * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 1802.3.B. of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a 3 ft. setback, in lieu of the required 9 ft., to erect an open carport, as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for Residential Variance, and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, including letters in support for the Petition from their immediate neighbors, and the photographs presented, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photos, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict

compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore Variance from Section 1802.3.B. of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a 3 ft. setback, in lieu of the required 9 ft., to erect an open carport, in accordance with Petitioners' Exhibit No. 1, is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

> 1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

> > Zoning Commissioner for Baltimore County

> > > of 2 (SEE REVERSE)

Suite 113 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

July 23, 1992

Mr. and Mrs. Jeffrey J. Deegan 4305 Tammy Court Baltimore, Maryland 21236

> RE: Petition for Residential Zoning Variance Case No. 92-490-A

Dear Mr. and Mrs. Deegan:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

Baltimore County Government -Zoning Commissioner

Office of Planning and Zoning

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

> Lawrence E. Schmidt Zoning Commissioner

LES:nunn encl.

PETITION FOR ADMINISTRATIVE VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property located in Baltimore County and which is described in the description and pla 1802.3.B [BCZR 1963 - SECTION 211.3] TO ALLOW A 3' SETBACK IN LIEU OF THE REQUIRED O' FOR AN OFFI CARTORT.

of the Zoning Regulations of Baltimore County for the following reasons: (indicate hardship or practical difficulty) SEE ATTACH MENTS

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I/we agree to pay expenses of the above posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of BaltimoreCounty adopted pursuant to the Zoning Law for Baltimore County.

I/we do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this petition.

Name, address and phone number of owner, contract purchaser of

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED, IT IS ORDERED by the Zoning Commissioner Of Baltimore County, this _____ day of _____, 19___, that the subject matter of this petition be set in for a public hearing, advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

ZONING COMMISSIONER OF BALTIMORE COUNTY

ESTIMATED POSTING DATE: //>

Contract Purchaser:

Attorney for Petitioner:

(type or print name)

AFFIDAVIT IN SUPPORT OF ADMINISTRATIVE VARIANCE

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That based upon personal knowledge, the following are the facts upon which I we base the request for an Administr.

Variance at the above address: (indicate hardship or practical difficulty) SEE ATTACHMENTS

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting a

____, 19 <u>9 2</u>, before me, a Notary Public of the State

JEFFREY J. & DEANNA L. DEEGAN the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

'ATTACHMENT & ACCOMPANY
VARIANCE REQUEST.

LES/mmn

THE PROPOSED CARPORT IS PLANNED AS 92-490-A
PART OF THE PROPOSED ADDITION FOR TWO REASONS;

1) VEHICULAR PROTECTION & SECURITY. 2) PROTECTION FROM REPEATED WATER INFLUTRATION INTO THE BSM'T MA THE ABEAWAY.

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ATTACHMENT TO ACCOMPANY
VARIANCE REQUEST

To Whom It May Concern:

We, the owners and residents of 4306 Tammy Court have been informed of the proposed addition at 4305 Tammy Court by the owners, Lynn and Jeff Deegan. We understand that it will be a (1) sty. carport which will come as close as 3' to the common property line. We have no objection to the above mentioned addition.

DESCRIPTION OF PROPERTY

92-490-A

4305 TAMMY CT., BAUTO, MD. 21236

BEGINNING AT A POINT ON THE NORTH SIDE OF TAMMY COURT WHICH IS A 50' RAD. CUL-DE-SAC ROAD AT A DISTANCE OF \$ 200 NORTH OF THE CENTERLINE OF TAMMY ROAD WHICH IS 50' WIDE. THE FOLLOWING COURSES AND DISTANCES;

N 50° 06' 21" E 139.23 9 65° 15' 00" E 9 01° 10' 50" E 120.87 N 86° 20' 57" W 123.06' ALONG A CURVE OF 50' RAD. 38'

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IS WITNESS my hand and Notarial Seal.

TO THE PLACE OF BEGINNING.

District // /	Date of Posting 1/3/92
Posted for: Leffory of Dea	ans Desser
Location of property: H305 Tom-	my Ct., NELS , 200' N/ Tommy A
Location of Signe Facing 700 d	way on fro forty of fatilionis.
Posted by Maluly	Data of return: 7/10/92

6/16/92 PRICE 080 -POSTING SIGNS / ADVERTISING 1 LAST NAME OF OWNER: DEEGAN

BALTIMORE COUNTY, MARYLAND

OFFICE OF PLANNING AND ZONING New Courts Building 401 Bosley Avenue Towson, MD 21204

6703-92

MEMORANDUM

Arnold Jablon, Director - Zoning Administration & Development Management

Ervin McDaniel, Chief Development Review Section Office of Planning and Zoning

PETITIONS FROM ZONING ADVISORY COMMITTEE - June 29, 1992

The Office of Planning and Zoning has no comments on the following petitions:

Edward & Rita Raab Jeffrey & Deanna Deegan Charles & Virginia Loane Herschel & Ruth Polakoff Francis Mull - Item 529 Juanita Cottrell Middle River Baptist Church- Item 530 Merritt & Joann Olsen - Item 531 Michael & Eugenia Zavodny - Item 532

If there should be any further questions or if this office can provide additional information, please contact Francis Morsey in the Office of Planning and Zoning at 887-3211.



Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning

111 West Chesapeake Avenue Towson, MD 21204

July 13, 1992

(410) 887-3353

07/06/92

Meeting Date

6-1-92

532 N/C

Date 7/6/92

Mr. & Mrs. Jeffrey J. Deegan 4305 Tammy Court Baltimore, MD 21236

> RE: Item No. 523, Case No. 92-490-A Petitioner: Jeffrey J. Deegan, et ux Petition for Jeffrey J. Deegan, et ux

Dear Mr. & Mrs. Deegan:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

COUNT 1

DED DEPRM RP STP TE

DED DEPRH RP STP TE

RMS Nominee, Inc.

Juanita L. Cottrell

Development Review Committee Besponse Form

Rita M. and Edward R. Raab, Sr.

Jeffrey J. and Deanna L. Deegan

Charles M. and Virginia H. Loane

Francis D. and Patricia M. Mull

The Middle River Baptist Church

Merritt E. and Joann R. Olsen

Michael J. and Eugenia G. Zavedny

Herschel and Ruth Polakoff

Stonegate at Patapsco (Azreal Property)

ZON DED TE (Waiting for developer to submit plans first)

Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning

111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this 16th day of June, 1992

Petitioner: Jeffrey J. Deegan, et ux

Petitioner's Attorney:

Baltimore County Government
Fire Department

JUNE 25, 1992

(410) 887-4500

Arnold Jablon Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204

RE: Property Owner: JEFFREY J. DEEGAN AND DEANNA J. DEEGAN

#4305 TAMMY COURT Location: Item No.: *523 (LJG)

Zoning Agenda: JUNE 29, 1992 Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Pire Prevention Bureau has no comments at this time.

Fire Prevention Bureau Special Inspection Division

JP/KEK

6709-92 Meeting Date Zoning Issue File Number Rita M. and Edward R. Raab, Sr. 6-29-92 ED DEPRM RP STP TE DED DEPRM RP STP TE Jeffrey J. and Deanna L. Deegan DED DEPRM RP STP TE ED DEFRM KF SIF IE Charles M. and Virginia H. Loane ED DEPRM RP STP TE No Consent DED DEPRM RP STP TE Herschel and Ruth Polakoff ED DEPRM RP STP TE No ConnecT DED DEPRM RF STF TE Francis D. and Patricia M. Mull ED DEPRM RP STF TE DED DEPRM RP STF TE RMS Nominee, Inc. DED DEPRM RP STP TE Juanita L. Cottrell DED DEPRM RP STP TE The Middle River Baptist Church DED DEPRM RP STP TE SEPERATE TO THE STATE OF THE SEPERATE SERVICE STATES OF THE SERVICE SERVICES OF THE SERVICE SERVICE SERVICE SERVICES OF THE SERVICE SERVICE SERVICE SERVICE SERVICES OF THE SERVICE SE Merritt E. and Joann R. Olsen PEREFERENCE REPORT NO COMENT Michael J. and Eugenia G. Zavodny DED DEPRM RP STP TE Baltimore COunty - Southwestern'Bell Mobile Systems No Connect DED DEPRM RP STP TE COUNT 11

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DPW/Developers Engineering Division (Public See

Development Review Committee

Authorized Sequences

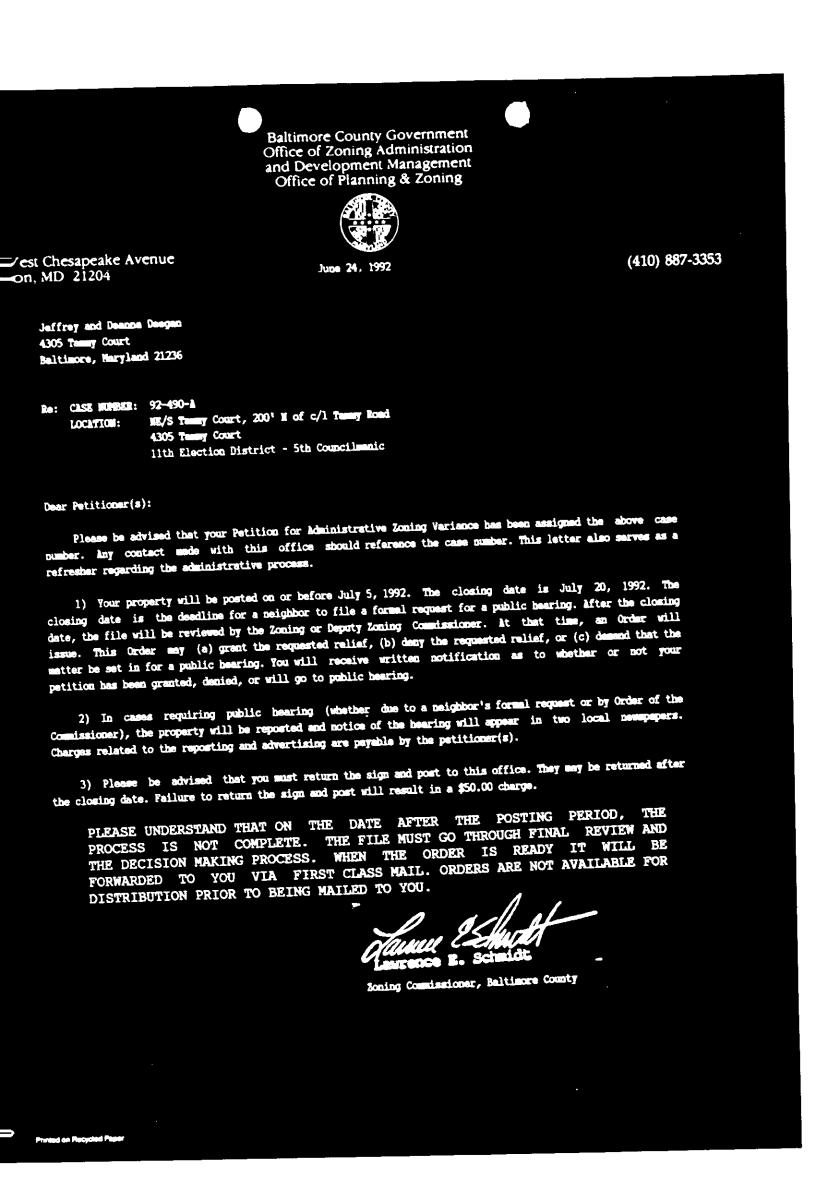
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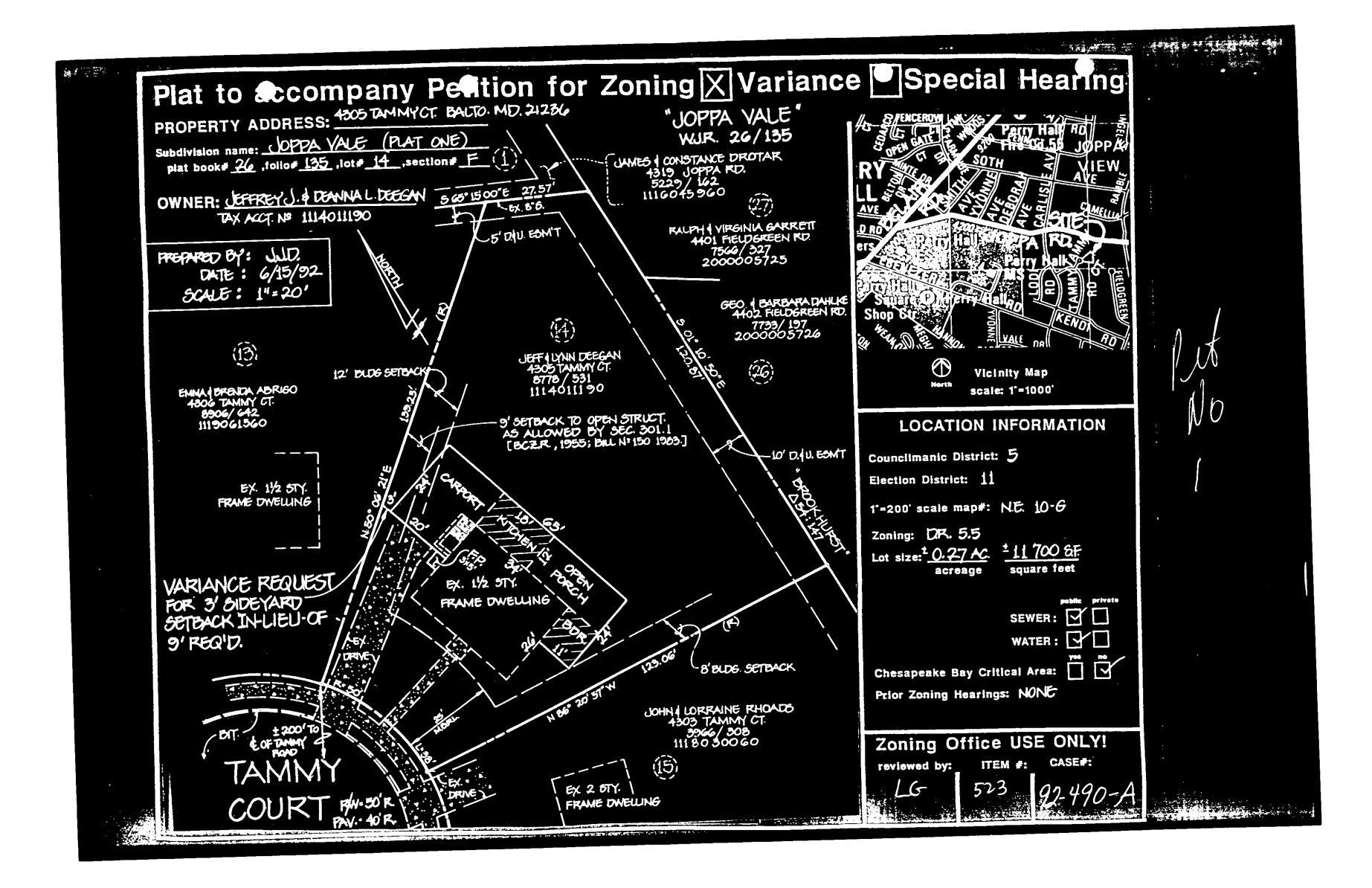
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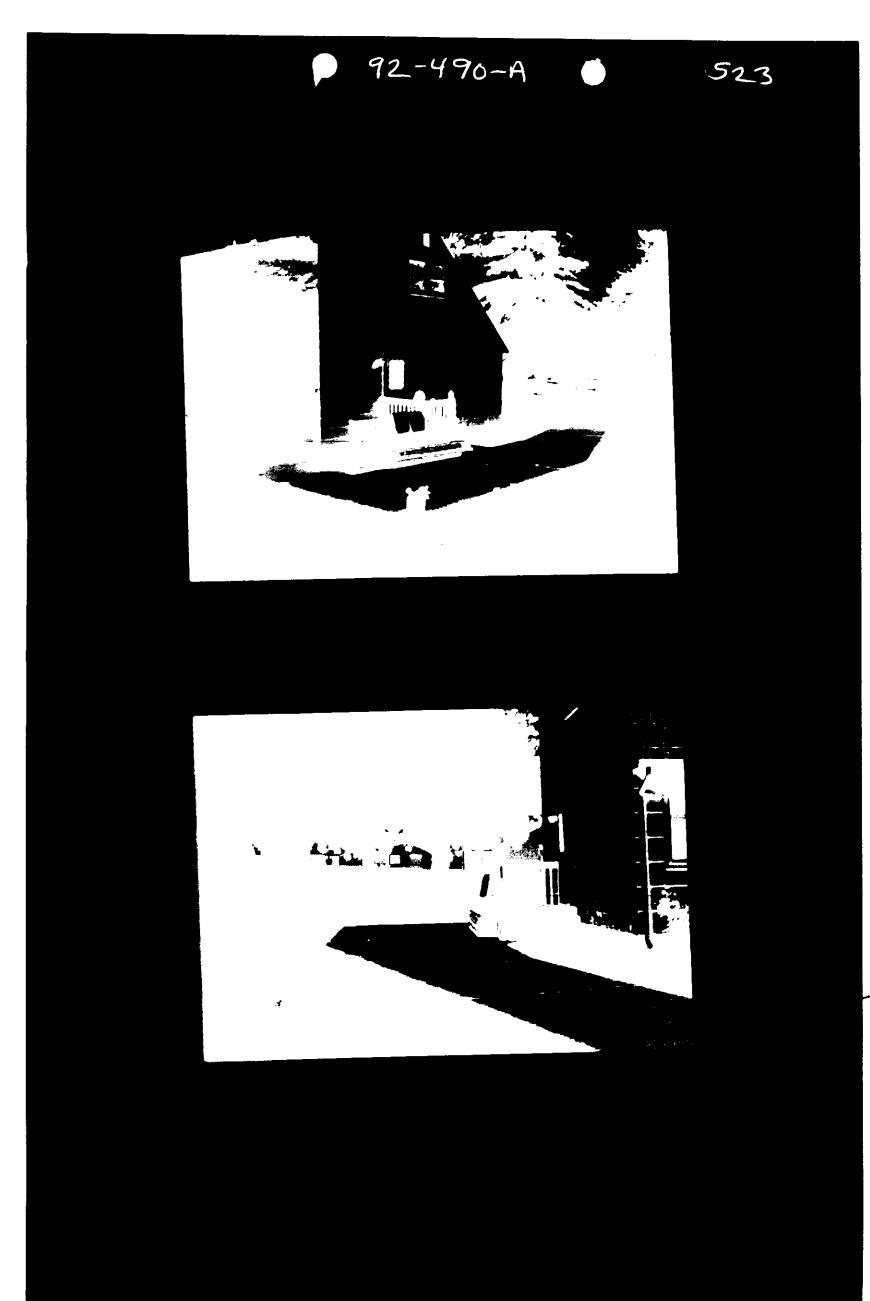
Baltimore COunty - Southwestern Bell Mobile Systems

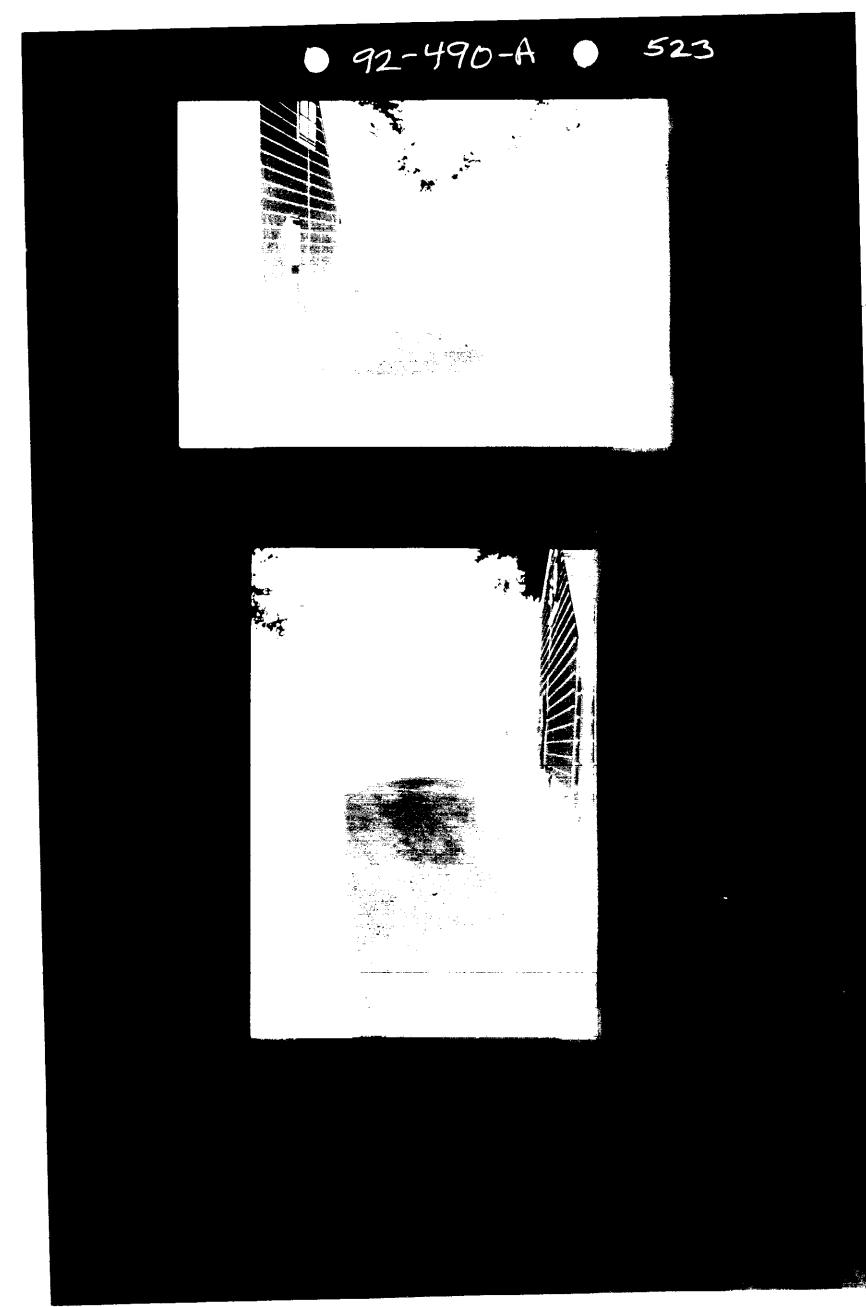
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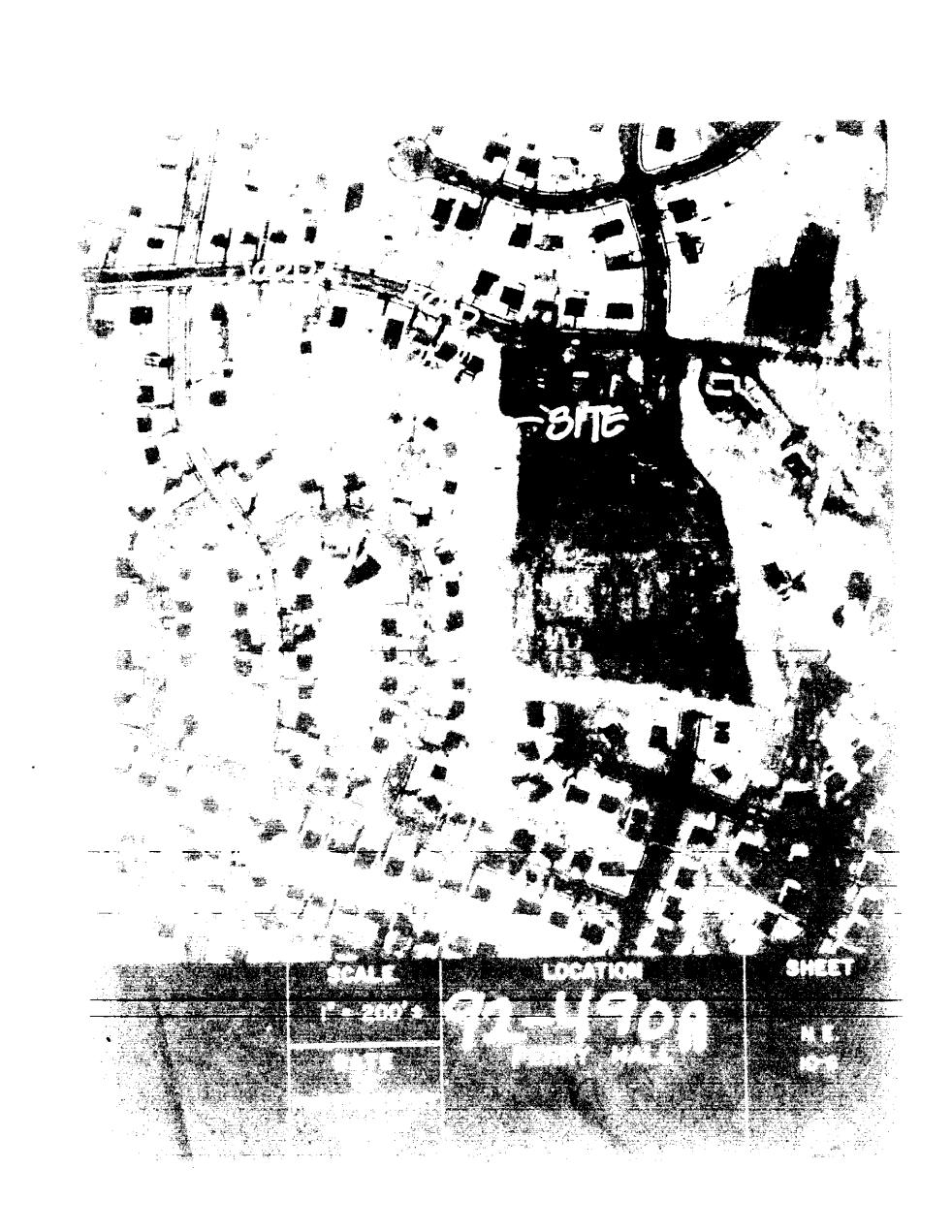
700 East Joppa Road Suite 901 Towson, MD 21204-5500

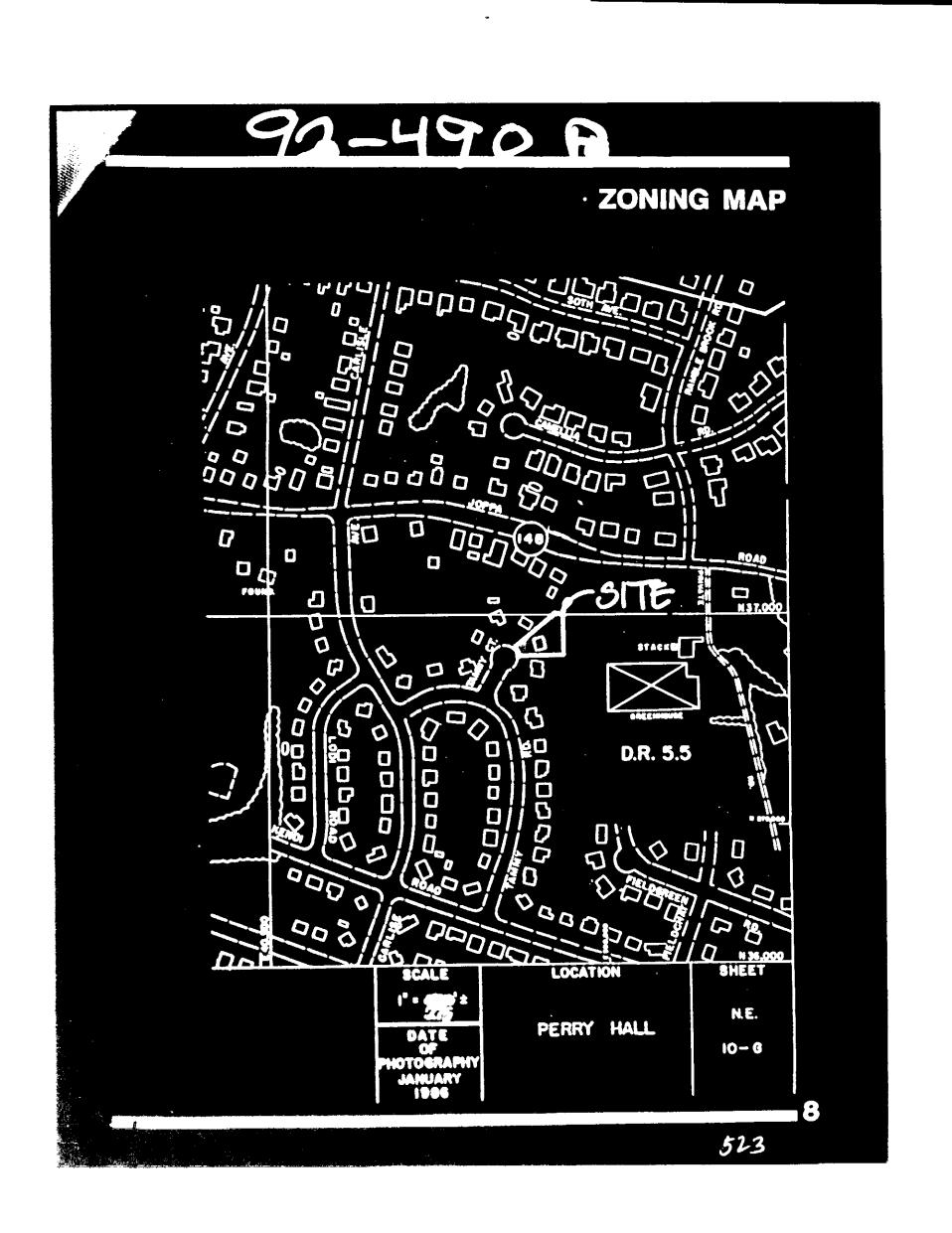












IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE * ZONING COMMISSIONER NE/S Tammy Court, 200 ft. N of c/l Tammy Road * OF BALTIMORE COUNTY 4305 Tammy Court 11th Election District * Case No. 92-490-A 5th Councilmanic District Jeffrey J. Deegan, et ux Petitioners * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 1802.3.B. of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a 3 ft. setback, in lieu of the required 9 ft., to erect an open carport, as more particularly described on Petitioners' Exhibit No. 1.

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compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore Variance from Section 1802.3.B. of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a 3 ft. setback, in lieu of the required 9 ft., to erect an open carport, in accordance with Petitioners' Exhibit No. 1, is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

> 1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

> > Zoning Commissioner for Baltimore County

> > > of 2 (SEE REVERSE)

Suite 113 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

July 23, 1992

Mr. and Mrs. Jeffrey J. Deegan 4305 Tammy Court Baltimore, Maryland 21236

> RE: Petition for Residential Zoning Variance Case No. 92-490-A

Dear Mr. and Mrs. Deegan:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

Baltimore County Government -Zoning Commissioner

Office of Planning and Zoning

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

> Lawrence E. Schmidt Zoning Commissioner

LES:nunn encl.

PETITION FOR ADMINISTRATIVE VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property located in Baltimore County and which is described in the description and pla 1802.3.B [BCZR 1963 - SECTION 211.3] TO ALLOW A 3' SETBACK IN LIEU OF THE REQUIRED O' FOR AN OFFI CARTORT.

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Property is to be advertised and/or posted as prescribed by Zoning Regulations.

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I/we do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this petition.

Name, address and phone number of owner, contract purchaser of

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED, IT IS ORDERED by the Zoning Commissioner Of Baltimore County, this _____ day of _____, 19___, that the subject matter of this petition be set in for a public hearing, advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

ZONING COMMISSIONER OF BALTIMORE COUNTY

ESTIMATED POSTING DATE: //>

Contract Purchaser:

Attorney for Petitioner:

(type or print name)

AFFIDAVIT IN SUPPORT OF ADMINISTRATIVE VARIANCE

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JEFFREY J. & DEANNA L. DEEGAN the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

'ATTACHMENT & ACCOMPANY
VARIANCE REQUEST.

LES/mmn

THE PROPOSED CARPORT IS PLANNED AS 92-490-A
PART OF THE PROPOSED ADDITION FOR TWO REASONS;

1) VEHICULAR PROTECTION & SECURITY. 2) PROTECTION FROM REPEATED WATER INFLUTRATION INTO THE BSM'T MA THE ABEAWAY.

IN ORDER TO SATISFY THE ABOVE BEQUIRE -MENTS AND STAY WITHIN THE ZONING RESULATIONS A PRACTICAL DIFFICULTY REASONS; THE VARIANCE IS SOUGHT. 1.) THE DIVERGENCE OF THE LOT LINES FROM THE CENTER OF THE CULDESAC BESULT IN AN EXCESSIVELY NABROW BLDG ENVELOPE AT THE BLDG SET BACK UNE, REQUIRING A PUSHED-BACK POSITION. TO MOVE THE CARPORT BACK ANY FURTHER, BEASON (2) ABOVE WOULD NOT BE SATISFIED. 2.) CONSIDERING THE EXISTING FEATURES;

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ATTACHMENT TO ACCOMPANY
VARIANCE REQUEST

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DESCRIPTION OF PROPERTY

92-490-A

4305 TAMMY CT., BAUTO, MD. 21236

BEGINNING AT A POINT ON THE NORTH SIDE OF TAMMY COURT WHICH IS A 50' RAD. CUL-DE-SAC ROAD AT A DISTANCE OF \$ 200 NORTH OF THE CENTERLINE OF TAMMY ROAD WHICH IS 50' WIDE. THE FOLLOWING COURSES AND DISTANCES;

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District // /	Date of Posting 1/3/92
Posted for: Leffory of Dea	ans Desser
Location of property: H305 Tom-	my Ct., NELS , 200' N/ Tommy A
Location of Signe Facing 700 d	way on fro forty of fatilionis.
Posted by Maluly	Data of return: 7/10/92

6/16/92 PRICE 080 -POSTING SIGNS / ADVERTISING 1 LAST NAME OF OWNER: DEEGAN

BALTIMORE COUNTY, MARYLAND

OFFICE OF PLANNING AND ZONING New Courts Building 401 Bosley Avenue Towson, MD 21204

6703-92

MEMORANDUM

Arnold Jablon, Director - Zoning Administration & Development Management

Ervin McDaniel, Chief Development Review Section Office of Planning and Zoning

PETITIONS FROM ZONING ADVISORY COMMITTEE - June 29, 1992

The Office of Planning and Zoning has no comments on the following petitions:

Edward & Rita Raab Jeffrey & Deanna Deegan Charles & Virginia Loane Herschel & Ruth Polakoff Francis Mull - Item 529 Juanita Cottrell Middle River Baptist Church- Item 530 Merritt & Joann Olsen - Item 531 Michael & Eugenia Zavodny - Item 532

If there should be any further questions or if this office can provide additional information, please contact Francis Morsey in the Office of Planning and Zoning at 887-3211.



Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning

111 West Chesapeake Avenue Towson, MD 21204

July 13, 1992

(410) 887-3353

07/06/92

Meeting Date

6-1-92

532 N/C

Date 7/6/92

Mr. & Mrs. Jeffrey J. Deegan 4305 Tammy Court Baltimore, MD 21236

> RE: Item No. 523, Case No. 92-490-A Petitioner: Jeffrey J. Deegan, et ux Petition for Jeffrey J. Deegan, et ux

Dear Mr. & Mrs. Deegan:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

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COUNT 1

DED DEPRM RP STP TE

DED DEPRH RP STP TE

RMS Nominee, Inc.

Juanita L. Cottrell

Development Review Committee Besponse Form

Rita M. and Edward R. Raab, Sr.

Jeffrey J. and Deanna L. Deegan

Charles M. and Virginia H. Loane

Francis D. and Patricia M. Mull

The Middle River Baptist Church

Merritt E. and Joann R. Olsen

Michael J. and Eugenia G. Zavedny

Herschel and Ruth Polakoff

Stonegate at Patapsco (Azreal Property)

ZON DED TE (Waiting for developer to submit plans first)

Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning

111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this 16th day of June, 1992

Petitioner: Jeffrey J. Deegan, et ux

Petitioner's Attorney:

Baltimore County Government
Fire Department

JUNE 25, 1992

(410) 887-4500

Arnold Jablon Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204

RE: Property Owner: JEFFREY J. DEEGAN AND DEANNA J. DEEGAN

#4305 TAMMY COURT Location: Item No.: *523 (LJG)

Zoning Agenda: JUNE 29, 1992 Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Pire Prevention Bureau has no comments at this time.

Fire Prevention Bureau Special Inspection Division

JP/KEK

6709-92 Meeting Date Zoning Issue File Number Rita M. and Edward R. Raab, Sr. 6-29-92 ED DEPRM RP STP TE DED DEPRM RP STP TE Jeffrey J. and Deanna L. Deegan DED DEPRM RP STP TE ED DEFRM KF SIF IE Charles M. and Virginia H. Loane ED DEPRM RP STP TE No Consent DED DEPRM RP STP TE Herschel and Ruth Polakoff ED DEPRM RP STP TE No ConnecT DED DEPRM RF STF TE Francis D. and Patricia M. Mull ED DEPRM RP STF TE DED DEPRM RP STF TE RMS Nominee, Inc. DED DEPRM RP STP TE Juanita L. Cottrell DED DEPRM RP STP TE The Middle River Baptist Church DED DEPRM RP STP TE SEPERATE TO THE STATE OF THE SEPERATE SERVICE STATES OF THE SERVICE SERVICES OF THE SERVICE SERVICE SERVICE SERVICES OF THE SERVICE SERVICE SERVICE SERVICE SERVICES OF THE SERVICE SE Merritt E. and Joann R. Olsen PEREFERENCE REPORT NO COMENT Michael J. and Eugenia G. Zavodny DED DEPRM RP STP TE Baltimore COunty - Southwestern'Bell Mobile Systems No Connect DED DEPRM RP STP TE COUNT 11

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DPW/Developers Engineering Division (Public See

Development Review Committee

Authorized Sequences

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